



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

MAR 07 2013

CERTIFIED MAIL 7012 1010 0001 8097 4038
RETURN RECEIPT REQUESTED

Mr. William Rhinehart
Acting Director, DeKalb County Department
of Watershed Management
1580 Roadhaven Drive
Stone Mountain, Georgia 30083

RE: U.S. District Court Civil Action 1:10cv 4039-WSD
DeKalb County Consent Decree
Demand for Stipulated Penalties

Dear Mr. Rhinehart:

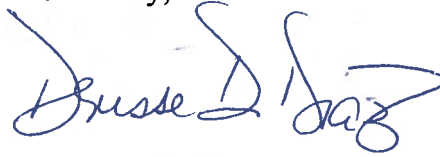
The U.S. Environmental Protection Agency, Region 4 is in receipt of the Quarterly Reports that DeKalb County has submitted from the First Quarter of 2012 (dated April 27, 2012) to the Fourth Quarter of 2012 (dated January 24, 2013) in compliance with Section IX, (Reporting Requirements) of the Consent Decree.

Pursuant to Section X.65.c. and d., of the Consent Decree, the EPA may assess a stipulated penalty for each spill in a dollar amount that is dependent on the size of the spill and when the spill occurred. The EPA could thus assess stipulated penalties totaling \$70,500 for the 141 spills that have occurred from January 1, 2012, to December 31, 2012. As a result of the circumstances surrounding some of the spills, the EPA has decided to exercise its enforcement discretion to not demand the full amount of stipulated penalties that could be assessed. Therefore, after review of the submitted documentation, the EPA hereby demands stipulated penalties, pursuant to Section X.65.c. and d. of the Consent Decree in the amount of \$63,000.00.

In accordance with Section X.67., of the Consent Decree, DeKalb County shall pay within 30 days of receipt of this letter \$31,500.00 (50%) of the stipulated penalty to the State of Georgia and \$31,500.00 (50%) of the stipulated penalty to the United States for a total stipulated penalty amount of \$63,000.00. The Financial Litigation Unit will provide DeKalb County electronic funds transfer wiring instructions for the payment to the United States.

If you should have any questions, please have your attorneys contact Mr. William Bush, Associate Regional Counsel assigned to this matter, at (404) 562-9538.

Sincerely,

A handwritten signature in blue ink, appearing to read "Denisse D. Diaz", with a stylized flourish at the end.

Denisse D. Diaz, Chief
Clean Water Enforcement Branch
Water Protection Division

cc: Mr. W. Benjamin Fisherow, Chief, Environmental Enforcement Section
United States Department of Justice

Ms. Valerie K. Mann
United States Department of Justice

Mr. William Phillips, Senior Assistant Attorney General
Department of Law

Ms. Audra Dickson
Georgia Environmental Protection Division

Ms. Marzieh Shahbazaz, Unit Manager
Georgia Environmental Protection Division

Mr. W. Burrell Ellis, Jr., Chief Executive Officer
DeKalb County Government

Ms. Lisa Chang, County Attorney
DeKalb County Law Department

Mr. E. Fitzgerald Veira
Troutman Sanders LLP